

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

CHARLES STEPHON WILLIAMS,

Plaintiff,

V.

EDWARD KLEM,

Defendants.

Civil Action No. 04-67Erie

ORDER

This matter has been referred to United States Magistrate Judge Susan Paradise Baxter in accordance with the Magistrates Act, 28 U.S.C. §§ 636 (b)(1)(A) and (B), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrates.

The magistrate judge's report and recommendation filed on December 1, 2005, recommended that Plaintiff's "Petition for Writ of Habeas Corpus" (Doc. 1) be denied, and that a certificate of appealability be denied. The parties were allowed ten (10) days from the date of service to file any objections. Service was made on all parties. Plaintiff has filed objections to the report and recommendation.

After *de novo* review of the documents in the case, together with the report and recommendation and Plaintiff's objections thereto, the following Order is entered:

AND NOW, to-wit, this 20th day of December, 2005, IT IS HEREBY ORDERED that the report and recommendation of Magistrate Judge Baxter dated December 1, 2005 be and hereby is adopted as the Opinion of this Court.

S/

Maurice B. Cohill, Jr.
Senior United States District Judge

cc: The Honorable Susan Paradise Baxter
United States Magistrate Judge

all parties of record